

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JL BEVERAGE COMPANY, LLC,
Plaintiff and Counter-Defendant,
v.
BEAM, INC., et al.,
Defendants and Counter-Plaintiffs.

Case No. 2:11-cv-00417-MMD-CWH

ORDER

Before the Court is Defendants' Motion for Dismissal of Counterclaims Without Prejudice and for Entry of Final Judgment (dkt. no. 109). Defendants seek dismissal of their counterclaims for cancellation of Plaintiff's JL Lips Mark, which is also registered as U.S. Trademark Registration No. 4,044,182, without prejudice. Plaintiff has not opposed the Motion. Failure to file points and authorities in opposition to a motion constitutes consent that the motion be granted. L.R. 7-2(d); *see Abbott v. United Venture Capital, Inc.*, 718 F. Supp. 828, 831 (D. Nev. 1989). The Court therefore grants Defendants' Motion. The Clerk is directed to issue judgment in the form attached as Exhibit A to the Motion.

DATED THIS 13th day of November 2013.


MIRANDA M. DU
UNITED STATES DISTRICT JUDGE